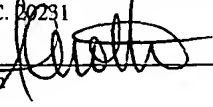


Express Mail Label No. EL863422174US

Date of Deposit: February 22, 2002

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington D.C. 20231

By: 
Amy Groth

Attorney Docket No. 402E-476112US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ballinger, Marcus D., *et al.*

Application No.: Herewith

Filed: February 22, 2002

For: HEREGULIN VARIANTS

Examiner: Brannock, M.

Art Unit: 1646

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR § 1.97 and
§ 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached PTO-1449 and 892 forms are being called to the attention of the Examiner to make of record references cited in parent application USSN 09/101,544 filed July 17, 1998. Pursuant to 37 CFR § 1.98(d), copies of references cited in parent application USSN 09/101,544 filed July 17, 1998 are not provided. However the applicants will gladly provided fresh copies of any references requested by the Examiner. It is respectfully requested that the cited information on the previously submitted 1449 and 892 forms for application USSN 09/101,544 filed July 17, 1998 be expressly considered during the

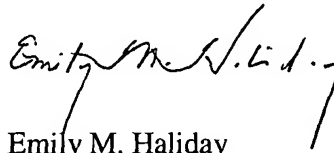
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prosecution of this application, and that references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Emily M. Haliday
Reg. No. 38,903

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.
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Tel: (510) 337-7871
Fax: (510) 337-7877

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S) INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO.		SERIAL NO.
	14918-720-CON2 402E-476112US		09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.		
	FILING DATE July 17, 1998 Feb. 22, 2002		GROUP ART UNIT 1646

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
	A1	4,968,603	11/06/90	Slamon et al.	435	6	
	A2	5,183,884	02/02/93	Kraus et al.	536	23.5	
	A3	5,367,060	11/22/94	Vandlen et al.	530	399	
	A4						
	A5						
	A6						
	A7						
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	A9						
	A10						

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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
	B1	444,961 A1	9/4/91	Europe				
	B2	505,148	9/23/92	Europe				
	B3	599,274	6/1/94	Europe				
	B4	WO 92/18627	10/29/92	PCT				

OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)

	C1	Ayala et al., "Multiple Alleles," <i>Modern Genetics</i> , Benjamin/Cummings Pub. Co., Menlo Park, CA, 45-48 (1980).
	C2	Barbacci et al., "The structural basis for the specificity of epidermal growth factor and heregulin binding," <i>Journal of Biological Chemistry</i> (published erratum appears in <i>J. Biol. Chem.</i> Nov. 24, 1995; 270(47):28494) 270(16):9585-9589 (Apr. 21, 1995).
	C3	Bass, et al., "Hormone Phage: An Enrichment Method for Variant Proteins with Altered Binding Properties," <i>Proteins: Structure, Function, and Genetics</i> 8(4):309-314 (1990).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720-CON2 402E-476112 US	SERIAL NO. 09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
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	B5	WO 92/20798	11/26/92	PCT				
	B6	WO 93/22424	11/11/93	PCT				
	B7	WO 94/00140	1/6/94	PCT				
	B8	WO 94/04560	3/3/94	PCT				

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C4	Brockes, "Assay and isolation of glial growth factor from the bovine pituitary," <i>Methods in Enzymology</i> 147:217-225 (1987).
C5	Brockes et al., "Glial growth factor-like activity in Schwann Cell tumors," <i>Annals of Neurology</i> 20:3:317-322 (1986).
C6	Brockes et al., "Purification and preliminary characterization of a glial growth factor from the bovine pituitary," <i>Journal of Biological Chemistry</i> 255(18):8374-8377 (1980).

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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720 CON2 402E-4761265	SERIAL NO. 09401,544 Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION

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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
	A21						
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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
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	B9	WO 94/08007	4/14/94	PCT				
	B10	WO 94/26298	11/24/94	PCT				
	B11	WO 94/28133	12/8/94	PCT				
	B12	WO 95/32724	12/7/95	PCT				

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C7	Burden et al., "Neuregulins and their receptors: a versatile signaling module in organogenesis and oncogenesis," <i>Neuron</i> 18(6):847-855 (June 1997).
C8	Burgess et al., "Biosynthetic processing of neu differentiation factor. Glycosylation, trafficking, and regulated cleavage from the cell surface," <i>Journal of Biological Chemistry</i> 270(32):19188-19196 (1995).
C9	Callard et al., <i>The Cytokine Factsbook</i> , Academic Press, London, p. 31 (1994).

EXAMINER

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	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION

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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
	A31						
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
	B13	WO 96/31599	10/10/96	PCT				
	B14	WO 96/36720	11/21/96	PCT				
	B15							
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C10	Carraway et al., "The erbB3 gene product is a receptor for heregulin," <i>Journal of Biological Chemistry</i> 269(19):14303-14306 (1994).
C11	Carraway, et al., "Neuregulin-2, a new ligand of ErbB3/ErbB4-receptor tyrosine kinases," <i>Nature</i> 387:512-516 (1997).
C12	Chang, et al., "Ligands for ErbB-family receptors encoded by a neuregulin-like gene," <i>Nature</i> 387:509-512 (1997).

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	14918-720 CON2 402E-17611245		09401,544 Herewith
	APPLICANT Marcus D. Ballinger et al.		
	FILING DATE July 17, 1998 Feb. 22, 2002		GROUP ART UNIT 1646

REFERENCE DESIGNATION

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	A41						
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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
	B17							
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	B19							
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	C13	Chau, B. N. et al., "The EGF Receptor Binding of Recombinant Heregulin β 1/EGF Hybrids is Blocked by Heregulin Residue Glutamate 195," <i>Biochemical & Biophysical Research Communications</i> 229:882-886 (1996).
	C14	Chu et al., "Regulation of the acetylcholine receptor & subunit gene by recombinant ARIA: an in vitro model for transynaptic gene regulation," <i>Neuron</i> 14(2):329-339 (Feb. 1995).
	C15	Corfas & Fischbach, "The number of Na ⁺ channels in cultured chick muscle is increased by ARIA, an in vitro model for acetylcholine receptor-inducing activity," <i>J. Neuroscience</i> 13(5):2118-2125 (1993).

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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO.	SERIAL NO.
	14918-720-CON2 402E-476112 US	09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
	B21							
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	B24							

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C16	Cunningham et al., "High Resolution Epitope Mapping of hGH-Receptor Interactions by Alanine-Scanning Mutagenesis," <i>Science</i> 244:1081-1085 (June 1989).
C17	Cunningham et al., "Production of an Atrial Natriuretic Peptide Variant that is Specific for Type A Receptor," <i>EMBO Journal</i> 13(11):2508-2515 (1994).
C18	Cwirla et al., "Peptides on phage: a vast library of peptides for identifying ligands," <i>Proc. Natl. Acad. Sci. USA</i> 87(16):6378-6382 (1990).

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720-CON2 402E-4761/245	SERIAL NO. 09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
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							yes	no
	B25							
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OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)

C19	Danilenko et al., "Neu differentiation factor (NDF) accelerates epidermal migration and differentiation in excisional wounds," <i>FASEB</i> 8:4-5: abstract no. 3101, p. A535 (1994).
C20	Falls et al., "ARIA, a Protein That Stimulates Acetylcholine Receptor Synthesis, is a Member of the Neu Ligand Family," <i>Cell</i> 72:801-815 (1993).
C21	Friess et al., "Enhanced erbB-3 Expression in Human Pancreatic Cancer Correlates With Tumor Progression," <i>Clinical Cancer Research</i> 1:1413-1420 (1995).

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720-CON2 402E-47611245	SERIAL NO. 09/101,544 herewith
	APPLICANT Marcus D. Ballinger et al..	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLTN	
							yes	no
	B29							
	B30							
	B31							
	B32							

OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)

C22	Gorman et al., "Transient Production of Proteins Using an Adenovirus Transformed Cell Line," <i>DNA Prot. Eng. Tech.</i> 2(1):3-10 (1990).
C23	Ho, W., et al., "Sensory and Motor Neuron-derived Factor," <i>Journal of Biological Chemistry</i> 270(24):14523-14532 (1995).
C24	Holmes et al., "Identification of heregulin, a specific activator of p185 ^{erbB2} " <i>Science</i> 256:1205-1210 (1992).

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance <i>and</i> not considered. Include copy of this form with next communication to Applicant(s).	

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720 CON2 402E-476112us	SERIAL NO. 09/101,544- Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
	A81						
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
	B33							
	B34							
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OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)

C25	Jacobsen et al., "High-Resolution Solution Structure of the EGF-like Domain of Heregulin- α " <i>Biochemistry</i> 35(11):3402-3417 (1996).
C26	King et al., "Ligand-independent tyrosine phosphorylation of EGF receptor and the erbB-2/neu proto-oncogene product is induced by hyperosmotic shock" <i>Oncogene</i> 4(1):13-18 (1989).
C27	Kokai et al., "Synergistic Interaction of p185c-neu and the EGF Receptor Leads to Transformation of Rodent Fibroblasts," <i>Cell</i> 58:287-292 (1989).

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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720 CON2 402E-476112 US	SERIAL NO. 09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION
U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
	A91						
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
	B37							
	B38							
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	B40							

OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)

C28	Kraus et al., "Demonstration of ligand-dependent signaling by the erbB-3 tyrosine kinase and its constitutive activation in human breast tumor cells," <i>Proc. Natl. Acad. Sci.</i> 90:2900-2904 (1993).
C29	Kraus et al., "Isolation and characterization of ERBB3, a third member of the ERBB/epidermal growth factor receptor family: Evidence for overexpression in a subset of human mammary tumors," <i>Proc. Natl. Acad. Sci. USA</i> 86:9193-9197 (1989).
C30	Kunkel et al., "Rapid and Efficient Site-Specific Mutagenesis Without Phenotypic Selection," <i>Methods in Enzymology</i> 154:367-382 (1987).

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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720 CON2 402E-476124S	SERIAL NO. 09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

REFERENCE DESIGNATION

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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
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OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)

C31	Lee et al., "Assignment of Heregulin (HGL) to Human Chromosome 8p22-p11 by PCR Analysis of Somatic Cell Hybrid DNA," <i>Genomics</i> 16:790-791 (1993).
C32	Lemke & Brookes, "Identification and purification of glial growth factor," <i>J. Neurosci.</i> 4(1):75-83 (1984).
C33	Lemoine et al., "The erbB-3 gene in human pancreatic cancer," <i>J. Pathol.</i> 168:269-273 (1992).

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	14918-720-CON2 402E-47611245		09/401,544 Herewith
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C34	Lemoine et al., "Expression of the ERBB3 gene product in breast cancer," <i>Br. J. Cancer</i> 66:1116-1121 (1992).
C35	Levi et al., "The Functional Characteristics of Schwann Cells Cultured from Human Peripheral Nerve after Transplantation into a Gap within the Rat Schiatic Nerve," <i>J. Neuroscience</i> 14(3):1309-1319 (1994).
C36	Lewis et al., "Growth Regulation of Human Breast and Ovarian Tumor Cells by Heregulin: Evidence for the Requirement of ErbB2 as a Critical Component in Mediating Heregulin Responsiveness," <i>Cancer Research</i> 56:1457-1465 (1996).

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	APPLICANT Marcus D. Ballinger et al.		
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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date If Appropriate
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FOREIGN PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
							yes	no
	B49							
	B50							
	B51							
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C37	Li et al., "Identification of Gas6 as a Growth Factor for Human Schwann Cells," <i>Journal of Neuroscience</i> 16(6):2012-2019 (1996).
C38	Lowman et al., "Selecting High-Affinity Binding Proteins by Monovalent Phage Display," <i>Biochemistry</i> 30:10832-10838 (1991).
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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO.		SERIAL NO.
	14918-720 CON2 402E-476112US		09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.		
	FILING DATE July 17, 1998 Feb 22, 2002	GROUP ART UNIT 164	

REFERENCE DESIGNATION

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	A131						
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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 14918-720 CON2 402E-4761 1265	SERIAL NO. 09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

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EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLATN	
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	14918-720 CON2- 402E-47611245		09/101,544 Herewith
	APPLICANT Marcus D. Ballinger et al.		
	FILING DATE July 17, 1998 Feb. 22, 2002		GROUP ART UNIT 1646

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	APPLICANT Marcus D. Ballinger et al.	
	FILING DATE July 17, 1998 Feb. 22, 2002	GROUP ART UNIT 1646

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	14918-720-CON2		09/101,544
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	14918-720 CON2		09/101,544
	402E-476/12 US		Herewith
	APPLICANT Marcus D. Ballinger et al.		
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C64	Tzahar, E., et al., "Bivalence of of EGF-like ligands drives the ErbB signalling network," <i>EMBO Journal</i> 16(16):4938-4950 (1997).
C65	Wada et al., "Intermolecular Association of the p185 ^{neu} Protein and EGF Receptor Modulates EGF Receptor Function," <i>Cell</i> 61:1339-1347 (1990).
C66	Wen et al., "Neu Differentiation Factor: A Transmembrane Glycoprotein Containing an EGF Domain and an Immunoglobulin Homology Unit," <i>Cell</i> 69(3):559-572 (1992).

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C68	Zhang et al., "Neuregulin-3 (NRG3): A novel neural tissue-enriched protein that binds and activates ErbB4," <i>Proc. Natl. Acad. Sci. USA</i> 94:9562-9567 (1997).
C69	Zrihan-Licht et al., "Association of Csk-homologous Kinase (CHK) (formerly MATK) with HER-2/ErbB-2 in Breast Cancer Cells," <i>Journal of Biological Chemistry</i> 272(3):1856-1863 (1997).

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